

**Notice of Foreclosure Sale**

May 8, 2023

Deed of Trust ("Deed of Trust"):

Dated: May 27, 2021

Grantor: Luke Kleck EPSP 401K

Trustee: R. Michael McCauley, Jr. or Benjamin P. Garcia

Lender: Turnkey Real Estate Holdings, LLC

Recorded in: Document No. 2021029595 of the real property records of Lubbock County, Texas

Legal Description: Lot Six (6), Block Six (6), Moore-Elliston Addition to the City of Lubbock, Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof, recorded in/under Volume 430, Page 394, of the Deed Records of Lubbock County, Texas (3614 E 3rd St),

Together with all easements, minerals, mineral rights, water rights, air and/or wind rights and all other appurtenances and incidents of ownership pertaining to such Property;

together with the following real and personal property;

All permits licenses, franchises, certificates, and other rights and privileges obtained in connection with the Property; All proceeds payable or to be payable under each policy of insurance relating to the Property; and All products and proceeds of the foregoing;

All fixtures and equipment, including, but not limited to, all heating, lighting, cooling, ventilating air conditioning, refrigeration, plumbing, incinerating, water-heating, cooking, pollution control, gas, electric, solar, nuclear and other equipment and fixtures, now or hereafter attached to or used in connection with said Property or any of said improvements or both, and all renewals and replacements thereof, all substitutions therefor and all additions and accession thereto, all of which shall also be deemed and considered to be a part of the realty;

All right, title and interest in and to said Property, improvements, fixtures and equipment, acquired by Borrower after the execution



of this instrument.

Secures: Promissory Note ("Note") in the original principal amount of \$90,000.00, executed by Luke Kleck EPSP 401K ("Borrower") and payable to the order of Lender

Assignment: The Note and the liens and security interests of the Deed of Trust were transferred and assigned to TexasBank ("Beneficiary") by an instrument dated May 18, 2022, recorded in Document No. 2022024655 of the real property records of Lubbock County, Texas and corrected in Document No. 2022028624 of the real property records of Lubbock County, Texas

Substitute Trustees: Craig C. Lesok, Terry Browder, Laura Browder, Marsha Monroe, Jamie Osborne

Substitute Trustee's Address: 226 Bailey Ave, Ste 101, Fort Worth, TX, 76107

Foreclosure Sale:

Date: Tuesday, June 6, 2023

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.

Place: The gazebo located on the front lawn of the Lubbock County Courthouse with the first alternative location being the 2nd floor of auditorium at 916 Main and the second alternate location being the Commissioner's Courtroom located on the 5th floor of the courthouse

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that TexasBank's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, TexasBank, the owner and holder of the Note, has requested Substitute Trustees to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of TexasBank's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with TexasBank's rights and

remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If TexasBank passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by TexasBank. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.


Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustees reserve the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustees.

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

/s/ Craig C. Lesok

Craig C. Lesok
Attorney for Mortgagee
SBOT No. 24027446


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FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Kelly Pinion

Kelly Pinion, County Clerk
Lubbock County, TEXAS
05/16/2023 10:20 AM
FEE: \$3.00
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